

THE UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

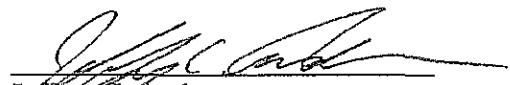
HEATHYR J. ELLINGTON, Individually, § IN THE DISTRICT COURT
And As Representative of the Estate of §
MICHAEL EARL ELLINGTON, Deceased, and §
JOHN-MICHAEL ELLINGTON §
§
VS. § CIVIL NO. SA-15-CA-426
§
THE UNITES STATES OF AMERICA, §
METRO AMBULANCE SERVICE, and §
GLOBALREHAB MANAGEMNT, L.L.C. § JURY DEMANDED

PLAINTIFFS' MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, HEATHYR J. ELLINGTON, Individually, And As Representative of the Estate of MICHAEL EARL ELLINGTON, Deceased, and JOHN-MICHAEL ELLINGTON, Plaintiffs in the above-entitled and numbered cause, and would make known to the Court that Plaintiffs do not desire to further prosecute their causes of action now pending against Defendant, METRO AMBULANCE SERVICE, only, in this lawsuit, and moves the Court to dismiss Plaintiffs' claims against this Defendant only, with prejudice to the refiling of same, with costs of court taxed to the party incurring same.

Respectfully submitted,


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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

The parties have conferred and are in agreement to the filing of this motion.

/s/ Chastiti N. Horne

CHASTITI N. HORNE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded, on this 31st day of December, 2015, to opposing counsel of record in the following manner:

Jeffrey C. Anderson *Via E-File/E-Mail* *jca@texaslawfirm.com*
THE LAW OFFICES OF JEFFREY C. ANDERSON
9601 McAllister Freeway, Suite 1250
San Antonio, Texas 78216

/s/ Chastiti N. Horne

CHASTITI N. HORNE